

**FOR: REGULATORY AND LICENSING COMMITTEE**

**Date: 20th June 2011**

**Agenda Item: 6**

**Contact Officer Tim Matthews  
Telephone Extension. 308755**

**SUBMISSION BY TIM MATTHEWS – ENVIRONMENTAL HEALTH MANAGER.**

**Animal Licensing: Dog Boarding Crèche**

**1. Purpose of Report**

- 1.1 To advise members of the proposed new arrangements for dog crèches under the animal boarding establishment act 1963 and to adopt new conditions.

**2. Summary of background and issues for consideration**

- 2.1 Local Authorities are required to administer the licensing of Animal Premises such as Animal Boarding establishments to comply with the Animal Boarding Establishments Act 1963.
- 2.2 The Animal Boarding Establishment Act 1963 forbids the keeping of a boarding establishment for animals (defined in the Act as cats and dogs) except under the authority of a licence granted by the Local Authority.
- 2.3 The dictionary definition of 'board' means the provision of meals, with or without lodgings. Therefore, dog crèches are providing food and water for the dogs and to that end are a boarding establishment and would require a licence.
- 2.4 Annual licensing of such premises requires compliance with standard conditions in respect of the welfare and safety of animals.
- 2.5 Each Licence is subject to standard conditions, we currently have standard conditions for:
- Traditional Kennels (for dogs)
  - Home Boarding Establishments (for dogs)
  - Catteries
- In addition to the standard conditions a licence may also contain special conditions that are only applicable to the specific premises.
- 2.6 Dog crèches fall within the act, but the current conditions are aimed at the traditional kennels and are not appropriate for the type of facilities people are setting up in the district.
- 2.7 The proposed dog crèche conditions are outlined in Appendix A. These conditions will ensure that a dog crèche establishment will be able to operate and meet the requirements of their customers whilst ensuring that the statutory objectives of the Animal Boarding Establishment Act 1963 (Appendix B) are also met.
- 2.8 The main difference between a dog crèche and a traditional dog kennels is that a dog creche will be a facility for the boarding of dogs during the day, 7am-9pm. No night boarding of dogs will be permitted at a dog creche.

- 2.9 It would appear that there is a need for dog creches as there are a great number of pet owners who work all day, and this requires leaving their dog at home while they work. There would appear to be a need for an establishment where the dogs are kept only during the day and where they are able to be socialised and exercised.
- 2.10 All boarding establishments, whether they are a traditional kennels, a home boarding establishment or a cattery are charged a licensing fee £145. This licence fee is reviewed annually. It is proposed that the dog crèche licence fee is kept in line with the current fee structure.

### **3. Recommendation requested**

- 3.1 To consider the proposals as detailed within the report.
- 3.2 To agree the pet crèche conditions in respect of the licensing of Animal Boarding Premises.
- 3.3 To authorise the Environmental Health Manager in consultation with the Chairman of the Regulatory and Licensing Committee to introduce the revised conditions after 20<sup>th</sup> June 2011.

### **4. Financial Implications**

- 4.1 The fees proposed are intended to recovers costs of licensing and inspection.

### **5. Strategic Plan Implications**

- 5.1 The provision of good value services by the Council is a key objective.

### **6. Sustainability Issues**

- 6.1 Services for licensing and regulatory functions contribute to the well-being and safety of our residents and towards protecting and providing a high quality and sustainable environment for this and future generations.

### **7. Human Rights Issues**

- 7.1 None identified.

### **8. Crime and Community Safety Issues**

- 8.1 None identified.

### **9. Risk Management Issues**

- 9.0 None identified

## **Background Documents:**

### **Appendix A – Animal Boarding Establishment Act 1963** **Standard Licence Conditions for a Dog Crèche**

#### **1. Scope**

- 1.1 These conditions apply to any use of any premises that is being used as a dog crèche, a business for the boarding of dogs during the day only.

#### **2. Permitted Hours**

- 2.1 No dogs are permitted to be boarded overnight.
- 2.2 Permitted operating hours are 7am until 9pm

#### **3. Display of licence**

- 3.1 A copy of the licence shall be displayed to the public in a prominent position in, on, or about the premises, or made available to each boarder.

#### **4. Number of dogs permitted**

- 4.1 The maximum number of boarded dogs in any one premises at any one time will be specified by the licence. The number of dogs permitted at an establishment will be determined by the suitability of the premises including size and available space.

#### **5. Familiarisation**

- 5.1 Unfamiliar dogs from more than one household shall be introduced prior to the commencement of boarding and shall only be boarded with express written permission of the owners.

#### **6. General Conditions**

- 6.1 The licensee must conduct the business, to the satisfaction of the Authority, in such a way as to prevent noise and/ or odour nuisance to neighbouring premises.
- 6.2 The premises shall be maintained in a state of cleanliness conducive to disease control and animal comfort.
- 6.3 The rooms to which boarded dogs have access shall be maintained in a condition, which is suitable and safe for their accommodation.
- 6.4 The licensee shall take all reasonable steps to ensure that any dog boarded on the premises will not represent a risk to the safety of any person working at the premises, or in neighbouring premises.
- 6.5 The licensee or person supervising the premises upon which a boarded dog represents a danger to any person working at the premises, or in the neighbouring premises, that dog must be isolated immediately and then must be transferred to a licensed boarding kennels with suitable facilities as soon as practicable (unless it can be returned to the owner).
- 6.6 The licensee shall ensure that the establishment is covered by adequate and suitable

Public Liability insurance and produce such insurance to an authorised officer of the local authority on request.

## **7. Accommodation**

- 7.1 The accommodation provided for dogs shall be in all respects suitable as regard construction, size, fixtures and fittings, exercise facilities, temperature, ventilation and cleanliness, which shall be the same as the agreed map submitted along with application.
- 7.2 Natural and artificial lighting of rooms shall be sufficient to allow proper use and cleaning of them.
- 7.3 Appropriate shelter shall be provided and appropriate to the number of dogs licensed.
- 7.4 External areas to which boarded dogs have access shall be securely fenced so as to prevent the dogs escaping from the premises.
- 7.5 All dog faeces and other waste shall be cleared up as soon as reasonably practicable and transferred to a suitable hygienic container, lined with a plastic sack, prior to disposal in accordance with the current regulations and good waste management practice.
- 7.6 Dogs shall not be kept within enclosed crates indoors or outdoors, except with the written consent of the dog owner.
- 7.7 Dogs shall be adequately exercised every day.
- 7.8 There will be a suitable amount of resting areas for the number of dogs at the premises.

## **8. Temperature**

- 8.1 A reasonable temperature must be maintained at all times where dogs are kept. The temperature of the dogs resting area shall be maintained at a minimum of 10°C and a maximum of 25°C.
- 8.2 All heating appliances provided shall be of such construction as to constitute no risk of fire and must not endanger the health and well-being of the dogs. Freestanding oil or gas appliances shall not be installed in an area accessible to the dogs.
- 8.3 Internal and external temperatures shall be recorded daily.

## **9. Cleanliness**

- 9.1 All areas used for the boarding of dogs shall be kept clean and free from accumulation of dirt and dust.
- 9.2 All dogs shall be provided with suitable clean, dry bedding material.

## **10. Food and water supplies**

- 10.1 All dogs shall have an adequate supply of wholesome drinking water available at all times, and changed daily.

- 10.2 All dogs shall be adequately supplied with suitable and sufficient food.
- 10.3 The food preparation area and equipment shall be kept vermin free at all times. Refrigeration facilities shall be provided where fresh meat is used. All bulk supplies of food shall be kept in vermin proof containers. Feeding and drinking vessels shall be cleaned and disinfected after each feed.

## **11. Security**

- 11.1 All reasonable precautions shall be taken to prevent dogs escaping from the premises, or other unauthorised dogs entering the premises.
- 11.2 All dogs boarded at the premises shall be fitted with a tag identified the licence holder and their address on their arrival at the premises.
- 11.3 When taken off the premises, dogs shall be leashed in public areas.
- 11.4 Dogs shall not be left outside and unattended during the hours of darkness.
- 11.5 Full males, bitches in season and puppies under six months' must not be boarded with other dogs.
- 11.6 No dog designated under the Dangerous Dogs Act 1991 is permitted to be accepted for boarding.

## **12. Disease control**

- 12.1 Only dogs from one household may be boarded at the premises at any one time except where every dog owner has given their consent in writing to the licensee.
- 12.2 All reasonable precautions shall be taken to prevent and control the spread of among animals of infection or contagious disease and parasites including the provision of appropriate isolation facilities and the appropriate use of Parvocidal disinfectant.
- 12.3 If a dog develops an infectious disease during its stay at the boarding establishment, the premises shall undergo a reasonable quarantine period, as specified by an authorised veterinary surgeon before any new boarders are accepted at the premises.
- 12.4 Proof shall be provided by the owner of the dogs boarded that the dogs have current vaccinations against Canine Distemper, Infectious Canine Hepatitis, Leptospirosis and Canine Parvovirus. Dogs shall not be boarded unless the full course of vaccination has been completed at least four weeks before the date of boarding then the animals booster administered in accordance with manufacturer's instructions.
- 12.5 Where dogs from different homes are boarded together, their respective owners shall ensure that the dogs are vaccinated against Bordetella Kennel Cough in addition to the vaccinations itemised above. Dogs shall not be boarded unless proof of the same is provided by the respective owners.
- 12.6 All dogs shall have been treated for fleas by their owners, external parasites and worms. Any resident dog should be treated regularly and in all cases information recorded.
- 12.7 A fully stocked first aid kit suitable for use on dogs shall be available and accessible on the premises.

12.8 The licensee shall have access to a veterinary practice that can provide an emergency service if required when the dog's normal vet is unavailable.

### **13. Documentation**

13.1 A register shall be kept containing the description. Of every dog boarded. The register must include the following information:

- a) Name, age, description of dog, breed and gender
- b) Date of arrival and departure
- c) name, address and telephone number of the owner
- d) Name and address and telephone number of contact whilst owner is away.
- e) Name, address and telephone number of dog's veterinary surgeon.
- f) Details of dates of dogs vaccinations
- g) Health, welfare and nutrition requirements. Details of any prescribed medication issued by a veterinary surgeon must be recorded.
- h) Date of the last season for a bitch

13.2 Licensees shall keep daily records on each dog as to its welfare.

13.3 All records shall be kept for a minimum of 2 years

13.4 All records required by this licence shall be available for inspection at all times by an authorised officer of the Local Authority a veterinary surgeon or a veterinary practitioner authorised under section 2(1) of the Act.

### **14. Supervision**

14.1 There should be at least one member of staff to every 10 dogs boarded.

14.2 A fit and proper person shall always be present to exercise supervision and deal with emergencies whenever dogs are boarded at the premises.

14.3 Dogs shall be visited at regular intervals as necessary for their health, safety and wellbeing.

### **15. Staff Training**

15.1 A written training policy for staff shall be provided.

15.2 Systematic training of staff shall be demonstrated to have been carried out.

### **16. Fire Precautions**

16.1 Appropriate steps shall be taken for the protection of dogs in the case of fire or other emergency.

16.2 A proper emergency evacuation plan and fire warning procedure shall be drawn up and shall include instructions on where dogs are to be evacuated to in the event of fire or other emergency. The plan shall be drawn to the attention of every fit and proper person who exercises supervision of the premises.

16.3 The premises shall be fitted with at least one working smoke detector.

16.4 Appropriate fire fighting equipment shall be provided in accordance with advice issued

by the Fire Authority. Appliances must be accessible and suitably maintained.

### **17. Site specific conditions**

**Please Note:** In some cases the standard licence conditions may need to be added to for the circumstances of the dog crèche in question. Where it is appropriate, more tailored or specific text might be more suitable.

## **Appendix B- Statutory objectives of the Act**

Section 1- (3) of the Act states

“(3) In determining whether to grant a licence for the keeping of a boarding establishment for animals by any person at any premises, the local authority shall in particular (but without prejudice to their discretion to withhold a licence on other grounds) have regard to the need for securing:

(a) that animals will at all times be kept in accommodation suitable as respects construction, size of quarters, number of occupants, exercising facilities, temperature, lighting, ventilation and cleanliness;

(b) that animals will be adequately supplied with suitable food, drink and bedding materials, adequately exercised and (so far as necessary) visited at suitable intervals;

(c) that all reasonable precautions will be taken to prevent and control the spread among animals of infectious or contagious diseases, including the provision of adequate isolation facilities;

(d) that appropriate steps will be taken for the protection of the animals in case of fire or other emergency;

(e) that a register be kept containing a description of any animals received into the establishment, date of arrival and departure, and the name and address of the owner, such register to be available for inspection at all times by an officer of the local authority, veterinary surgeon or veterinary practitioner authorised under section 2(1) of this Act;

and shall specify such conditions in the licence, if granted by them, as appear to the local authority necessary or expedient in the particular case for securing all the objects specified in paragraph (a) to (e) of this subsection.”



## Appendix C- Pet Crèche application form

### For Office Use Only

Licence Ref. No.	
Inspection Date	
Officer	
Veterinary Inspection	
Licence Issued	



ANIMAL BOARDING ESTABLISHMENTS ACT 1963

Application For A Licence To Keep a Dog Crèche

Applicant Details			
<b>I/ We ( Your Full Name/s)</b>			
Of (Your Home Address)			
<p>as (proposed) occupier(s) of the premises hereinafter mentioned <b>HEREBY MAKE APPLICATION</b> in pursuance of the provisions of <b>SECTION 1 OF THE ANIMAL BOARDING ESTABLISHMENTS ACT 1963</b> for a <b>LICENCE TO KEEP AN ANIMAL BOARDING ESTABLISHMENT</b> at the premises of which particulars are given below.</p> <p><b>I/WE ENCLOSE HERewith</b> the sum <b>£145.00</b> POUNDS being the amount of the fee payable on the Licence applied for.</p>			
Premises Details			
<b>Name of Premises</b>			
<b>Address of Premises</b>			
<b>Your Telephone No.</b>		<b>Establishment Phone No.</b>	
<b>E-mail address</b>			
Are you disqualified from keeping any of the following?			
<b>Keeping a Pet Shop- Under the Pet Animals Act 1951</b>	<b>Yes</b>	<b>No</b>	
<b>Keeping a Breeding Establishment- Under the Breeding of Dogs Act 1973</b>	<b>Yes</b>	<b>No</b>	
<b>The Boarding of Animals- Under the Animals Boarding Establishment Act 1963</b>	<b>Yes</b>	<b>No</b>	
<b>Keeping a Dog- Under the Protection of Animals (Cruelty to Dogs) (Scotland) Act 1934</b>	<b>Yes</b>	<b>No</b>	
<b>Having custody of animals- under the Protection of Animals (Amendments) Act 1954</b>	<b>Yes</b>	<b>No</b>	
<b>Animal Welfare Act 2006</b>	<b>Yes</b>	<b>No</b>	

***If you have answered yes to any of the above please provide details***

**Details of facilities**

PLEASE ATTACH ADDITIONAL SHEETS OF PAPER IF NECESSARY

Please provide a description of the facilities you wish to keep

**DOGS**

<b>Number of dogs to be kept at the establishment</b>	
<b>Number of individual units/ areas in which animals will be boarded</b> (please include a detailed map)	
<b>State construction and size of quarters in which animals are to be kept</b>	
<b>Heating arrangements</b>	
<b>Method of ventilation of premises</b>	
<b>Lighting arrangements- Natural:</b> <b>Artificial:</b>	
<b>Arrangements for food storage</b>	
<b>Arrangements for disposal of excreta</b>	
<b>Describe isolation facilities</b>	
<b>Name, address and telephone number of vet</b>	
<b>Type and location of Fire Safety Equipment</b>	
<b>Provide details of animal evacuation procedure in event of a fire</b>	
<b>How often will the animals be inspected during the course of 24hrs?</b>	
<b>Please provide details of how you are going to familiarise dogs with each other</b>	

**Standard Opening Times**

***Please provide us with details of your opening hours...***

Monday	
Tuesday	
Wednesday	
Thursday	
Friday	
Saturday	
Sunday	

**Please also enclose a map of the establishment- please mark on the map:**  
1) where the dogs are going to be kept, exercised etc.  
2) if the property is used for any other purpose please mark this on the map- e.g. residential use  
3) your nearest neighbours and whether they are residential or commercial.

**I / We DO HEREBY CERTIFY** that to the best of my/our knowledge and belief, the above particulars are true.

Signed ..... Date.....  
\*if the applicant signs on behalf of a Company or Partnership capacity must be stated.

**If necessary continue details on a separate sheet.**

**AN INCOMPLETE OR INCORRECT APPLICATION**

**WILL NOT BE ACCEPTED**

Please return this form and fee to:

**ENVIRONMENTAL HEALTH  
Lichfield District Council  
District Council House  
Frog Lane  
Lichfield  
Staffordshire  
WS13 6ZE**

Any further enquires please contact Environmental Health on **01543 308725**

**This authority is under a duty to protect the public funds it administer, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.**

## Appendix D - Dog Crèche information for applicants

### **ANIMAL BOARDING ESTABLISHMENT ACT 1963**

### **DOG CRÈCHE**



## **INFORMATION FOR APPLICANTS**

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The Animal Boarding Establishment Act 1963 forbids the keeping of a boarding establishment for animals (defined in the Act as cats and dogs) except under the authority of a licence granted by the Local Authority.

There are three types of dog boarding establishment licence:

- Traditional Kennels Licence- where dogs are kept in a traditional kennel environment
- Home dog boarding – where dogs from one household are kept in the family home as if they were the proprietors family pets.
- Dog crèches- for the day boarding of dogs only, 7am-9pm.

If you are not sure which licence you require please feel free to contact me on my direct line 01543 308736.

### **Licences**

No person can keep an 'Animal Boarding Establishment' without first obtaining a licence from their local authority. Where a licence is granted that licence and any subsequent licence will expire on the 31st December of the year to which it relates and must be renewed before that date if the premises are to continue as a pet shop.

In addition to the standard conditions, kennels, home or dog crèche, a licence may also contain special conditions that are only applicable to your premises.

### **Fees**

A Licence to keep an Animals Boarding Establishment costs £145. This licence fee is reviewed annually. This application fee is payable at the time an application is made.

### **Disqualification and Cancellation**

A person may not be granted a licence if he or she has been convicted of an offence under the Animals Boarding Establishments Act 1963 or under:

- Protection of Animals Act 1911-1964;
- Protection of Animals (Scotland) Act 1912-1964;
- Dangerous Wild Animals Act 1976;
- Pet Animals Act 1951;
- Riding Establishments Act 1964-1970;
- Breeding of Dogs Act 1973.
- Animal Welfare Act 2006

On conviction under any of the above legislation, the Court may cancel any licence to keep a boarding establishment and disqualify the person from holding such a licence for such a period as the Court sees fit.

### **Planning Permission**

You may require planning permission if building a new structure or significantly changing the use of existing building or land. For further advice please contact Development Control at Lichfield District Council on 01543 308174.

### **Your Rights of Appeal**

Any person aggrieved by a refusal of a licence or by any condition to which the licence is subject, may appeal to the Magistrates Court and the Courts may give direction regarding the licence and its conditions as it thinks proper.

### **Powers of Entry**

Local Authorities may authorise competent persons to enter premises either licensed under the Act or specified in an application for a licence, at all reasonable times, producing if required their authority, and the authorised officers may inspect these premises and any animal in them.

### **Offences and Penalties**

The following offences and penalties apply to Animal Boarding Establishment:

- It is an offence under the Act willfully to obstruct or delay any person in the exercise of his power of entry or inspection under this Act.
- It is an offence under the Act to keep a boarding establishment for animals except under the authority of a licence granted by the district authority.
- It is an offence not to comply with any conditions subject to which the licence is granted.

If found guilty under this Act, the defendant's licence may be cancelled and they may be disqualified from keeping an Animal Boarding Establishment for such length of time as the Court thinks fit.

### **Application Process**

If you wish to apply for a licence, you can do so by completing the 'dog crèche animal boarding establishment' application form. We cannot process your completed form until we are in receipt of the current licence fee. The application and fee for the licence must be sent to the address at the bottom of this leaflet.

Once an application has been received, we will arrange for an inspection of the premises by an authorised officer of the Council. Before granting a licence we will consider the report of this inspection and information about the applicant, the premises, and other relevant matters.

We will not grant a licence until we are satisfied that all licence conditions can be met.

### **CONTACT DETAILS**

**The officer that will be dealing with your application/ request for information is Jennifer Whittle, Environmental Protection Officer**

Environmental Health  
Lichfield District Council  
District Council House  
Frog Lane  
Lichfield  
Staffordshire  
WS13 6ZE

Direct Line: 01543 308736  
Fax: 01543 308728

Telephone: 01543 308725  
E-mail: [jennifer.whittle@lichfielddc.gov.uk](mailto:jennifer.whittle@lichfielddc.gov.uk)